

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

KEY'S DOCKET NUMBER

2001US6XPCT

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

097831899

INTERNATIONAL APPLICATION NO.

PCT/FR99/02853

INTERNATIONAL FILING DATE

19 November 1999

PRIORITY DATE CLAIMED

25 November 1998

TITLE OF INVENTION

OXYGEN BREATHING MASK WITH SOUND PICK-UP DEVICE

APPLICANT(S) FOR DO/EO/US

REYNAUD Gerard

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
- ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
- ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Notice for Consideration of Documents Cited in International Search Report/Notice of Priority/PCT/IB/304  
Drawings (4 Sheets)/PCT/IB/308

|  |  |  |
|--|--|--|
| U.S. APPLICATION NO. (IF KNOWN, PREVIOUS OR<br><b>09/83199</b> | INTERNATIONAL APPLICATION NO.<br><b>PCT/FR99/02853</b> | ATTORNEY'S DOCKET NUMBER<br><b>208822US6XPCT</b> |
|--|--|--|

|   |                     |                     |             |                                  |    |
|---|---------------------|---------------------|-------------|----------------------------------|----|
| 24. The following fees are submitted:<br><b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b>  |                     |                     |             | <b>CALCULATIONS PTO USE ONLY</b> |    |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b><br><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b><br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b><br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b><br><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b> |                     |                     |             |                                  |    |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |                     |                     |             | <b>\$860.00</b>                  |    |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b> | <b>RATE</b> |                                  |    |
| Total claims  | 8 - 20 =            | 0                   | x \$18.00   | <b>\$0.00</b>                    |    |
| Dependent claims  | 1 - 3 =             | 0                   | x \$80.00   | <b>\$0.00</b>                    |    |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/>   |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |                     |             | <b>\$860.00</b>                  |    |
| Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.   |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>SUBTOTAL =</b>   |                     |                     |             | <b>\$860.00</b>                  |    |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).  |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>TOTAL NATIONAL FEE =</b>   |                     |                     |             | <b>\$860.00</b>                  |    |
| for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>  |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |                     |             | <b>\$860.00</b>                  |    |
|   |                     |                     |             | <b>Amount to be: refunded</b>    | \$ |
|   |                     |                     |             | <b>charged</b>                   | \$ |

- a. ☒ A check in the amount of **\$860.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **15-0030**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:



**22850**

**Surinder Sachar**  
**Registration No. 34,423**

*Gregory J. Maier*  
SIGNATURE

**Gregory J. Maier**

NAME

**25,599**

REGISTRATION NUMBER

DATE

*May 24 2001*

DOCKET NO.: 208822US6XPCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: REYNAUD Gerard

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/FR99/02853

INTERNATIONAL FILING DATE: November 19, 1999

FOR: OXYGEN BREATHING MASK WITH SOUND PICK-UP DEVICE

**REQUEST FOR CONSIDERATION OF DOCUMENTS**  
**CITED IN INTERNATIONAL SEARCH REPORT**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



\_\_\_\_\_  
Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Surinder Sachar  
Registration No. 34,423



22850

(703) 413-3000

Fax No. (703) 413-2220

(OSMMN 1/97)